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S/N 10/566460

Responsive to the Office Action dated September 29, 2009

**Amendments to the Claims:**

This listing of claims will replace all prior versions and listings of claims in the application:

**Listing of Claims:**

1. (CURRENTLY AMENDED) An information recording medium having ~~[[a]] one or more recording layer layers~~ including a data recordable area for recording user information signals, a lead-in area provided on ~~[[the]]~~ an inner periphery of the data recordable area, an inner power calibration area provided further on the inside of the lead-in area for recording test recording patterns, and a recording management area for recording recording management information related to the inner power calibration area, wherein an outer power calibration area is provided ~~on the outer periphery of the final in the data recordable area, with an outermost point of recording of the recorded~~ user information signal on the recording layer being on the inner periphery side relative to the outer power calibration area,

~~by overwriting the address information of the final point with an address indicating the location of the innermost periphery of the outer power calibration area, the extent of the user data recordable area can be shrunk inward wherein address information of a point defining an outer boundary for recording additional user information in the data recordable area is in the record management area and defines an outer boundary that is inward of the outer power calibration area.~~

2. (ORIGINAL) The information recording medium according to claim 1, wherein:

the recording layer further includes a lead-out area, and

the outer power calibration area is provided between the data recordable area and the lead-out area.

3. (CANCELED)

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4. (CURRENTLY AMENDED) The information recording medium according to claim 1, wherein:

~~there are provided~~ a plurality of recording layers are present,

recording of a user information signal on one recording layer out of two adjacently stacked recording layers among the plurality of recording layers is performed from the inner periphery to the outer periphery of the information recording medium and recording of a user information signal on the other recording layer of the two recording layers is performed from the outer periphery to the inner periphery of the information recording medium, and

in the one recording layer, the outer power calibration area is provided on the outer periphery of the final point of recording of the user information signal, and

in the other recording layer, the outer power calibration area is provided on the outer periphery of the starting point of recording of the user information signal.

5. (CANCELED).

6. (PREVIOUSLY PRESENTED) The information recording medium according to claim 4, wherein

in an  $n$ th inner power calibration area, an  $(n+1)$ th inner power calibration area, an  $n$ th outer power calibration area, and an  $(n+1)$ th outer power calibration area provided, respectively, on an adjacently stacked  $n$ th recording layer and  $(n+1)$ th recording layer, test recording execution areas provided in the respective power calibration areas are provided such that they don't mutually overlap in the direction of stacking of the recording layers.

7. (PREVIOUSLY PRESENTED) The information recording medium according to claim 4, wherein

the direction of test recording performed for power calibration in the inner power calibration area and in the outer power calibration area is opposite to the direction of recording of the user information signal on the one recording layer.

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8. (ORIGINAL) The information recording medium according to claim 4, wherein

an  $n$ th outer power calibration area and an  $(n+1)$ th outer power calibration area are provided, respectively, in an adjacently stacked  $n$ th recording layer and  $(n+1)$ th recording layer, with an  $n$ th middle area provided on the inner periphery of the  $n$ th outer power calibration area in the  $n$ th recording layer, and an  $(n+1)$ th middle area provided on the inner periphery of the  $(n+1)$ th outer power calibration area in the  $(n+1)$ th recording layer.

9. (ORIGINAL) The information recording medium according to claim 8 wherein

in each adjacently stacked  $n$ th recording layer and  $(n+1)$ th recording layer, the  $n$ th middle area and the  $(n+1)$ th middle area, as well as the  $n$ th power calibration area and the  $(n+1)$ th power calibration area, are arranged by shifting them, in their entirety, towards the inner periphery, such that at least a portion of the  $n$ th middle area and the  $(n+1)$ th middle area, as well as the  $n$ th power calibration area and the  $(n+1)$ th power calibration area, is positioned on the inside of the outermost location that permits recording user information signals.

10. (PREVIOUSLY PRESENTED) The information recording medium according to claim 1, wherein the outer power calibration area is provided in a circular fashion at a distance of at least 0.2 mm on the outside from the outermost recordable location in the data recordable area.

11. (PREVIOUSLY PRESENTED) The information recording medium according to claim 1, wherein recording management information related to the outer power calibration area also is recorded in the recording management area.

12. (PREVIOUSLY PRESENTED) The information recording medium according to claim 1, wherein an outer recording management area used for recording

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recording management information related to the outer power calibration area is provided on the outside of the data recordable area.

13. (PREVIOUSLY PRESENTED) The information recording medium according to claim 1, wherein a test recording pattern is recorded in the outer power calibration area when the data recording speed in the data recordable area is a predetermined speed or higher.

14. (PREVIOUSLY PRESENTED) The information recording medium according to claim 1, wherein a test recording pattern is recorded in the outer power calibration area when the data recording speed in the data recordable area exceeds the recording speed at which recording was performed in the data recordable area in the past.

15. (PREVIOUSLY PRESENTED) An information recording and reproducing device for recording desired user information signals in the data recordable area of the information recording medium according to claim 1, comprising:

a rotary drive unit that rotates the information medium,  
an optical pickup that performs information signal recording or information signal reproduction by irradiating the information recording medium with light, and  
a calibration control unit that performs calibration of irradiation power using the optical pickup by moving the optical pickup at least to either one of the inner and outer power calibration areas of the information recording medium.

16. (ORIGINAL) The information recording and reproducing device according to claim 15, further comprising a rotation control unit that controls the speed of rotation of the information recording medium by the rotary drive unit,

wherein the calibration control unit acquires information on the rotational speed of the information recording medium from the rotation control unit and, depending on the acquired rotational speed information, and determines in which to perform calibration of the irradiation power using the optical pickup, whether the inner power calibration area or the outer power calibration areas.

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17. (ORIGINAL) The information recording and reproducing device according to claim 16, wherein the calibration control unit carries out irradiation power calibration using the optical pickup in the outer power calibration area when the speed represented by the rotational speed information exceeds a predetermined speed.
18. (PREVIOUSLY PRESENTED) The information recording and reproducing device according to claim 15, further comprising means for copying the newest test recording pattern from among the test recording patterns stored in the inner power calibration area to the outer power calibration area whenever a recording operation begins.
19. (PREVIOUSLY PRESENTED) The information recording and reproducing device according to claim 15, further comprising means for copying inner recording management information kept in the inner recording management area of the information medium to the outer recording management area of the information medium when recording a user information signal.
20. (PREVIOUSLY PRESENTED) The information recording and reproducing device according to claim 15, further comprising means for erasing test recording patterns corresponding to the data to be erased among the test recording patterns recorded in the outer power calibration area when erasing data from the data recordable area.
21. (PREVIOUSLY PRESENTED) The information recording and reproducing device according to claim 15, further comprising means for erasing recording management information corresponding to the data to be erased among the recording management information kept in the outer recording management area when erasing data from the data recordable area.

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22. (PREVIOUSLY PRESENTED) The information recording and reproducing device according to claim 15, wherein:

information representing the extent of the writable area of the data recordable area is contained in the recording management area of the information recording medium, and the information recording and reproducing device further includes means for modifying the information representing the extent of the writable area of the data recordable area so as to move the outermost periphery of the writable area on the information recording medium towards the inner periphery.

23. (PREVIOUSLY PRESENTED) An information recording and reproducing device for recording desired user information signals in the data recordable area of the information recording medium according to claim 4, comprising:

a rotary drive unit that rotates the information recording medium,

an optical pickup that performs information signal recording or information signal reproduction on a recording layer by irradiating any of the recording layers among the plurality of recording layers provided in the information recording medium with light, and

and a calibration control unit that performs calibration of irradiation power using the optical pickup by moving the optical pickup at least to either one of the inner and outer power calibration areas of the information recording medium on the recording layer where one intends to perform recording or reproduction of an information signal.